

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MAURICE S. THOMPSON, on behalf of  
himself and all others similarly situated,

Plaintiff,

v.

JEANNE S. WOODFORD, Acting Secretary,  
California Department of Corrections and  
Rehabilitation,

Defendant.

No. C 79-01630 WHA

**ORDER REFUSING TO  
RESCHEDULE HEARING ON  
MOTION TO INTERVENE AND  
CHANGING CASE NAME**

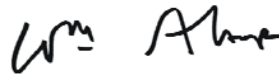
Due to the resignation of Roderick Hickman from his position as secretary of the California Department of Corrections and Rehabilitation, he is **HEREBY REPLACED AS DEFENDANT WITH ACTING SECRETARY JEANNE S. WOODFORD**, pursuant to Federal Rule of Civil Procedure 25(d)(1).

Would-be intervenor Freddie Fuiava filed a notice to change the hearing date of his motion to intervene. Normally, movants unilaterally may renote a hearing date for a motion, provided no opposition has been filed and the date by which an opposition was due has not yet passed. In the instant case, however, the hearing date on the motion to intervene was set by the Court so as to coincide with the hearing on the fairness of the proposed modification of the consent decree. Movant Fuiava's request involves changes he wishes to see to the consent decree. It therefore makes no sense to hold the hearing on the motion after the hearing on the modification of the consent decree. Unless movant Fuiava provides a justification or excuse for

1 changing the hearing date on the motion to intervene, it will be heard and briefed on the  
2 previous schedule.

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4 **IT IS SO ORDERED.**

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6 Dated: March 21, 2006

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE